

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DALE L. HOLTZSCHER and §  
SEDONNA S. JORDAN, Individually §  
and on Behalf of Others §  
Similarly Situated, §

Plaintiffs, §

v. §

CIVIL ACTION NO. H-05-3293

DYNEGY, INC., DYNEGY, INC. §  
BENEFIT PLANS COMMITTEE, LOUIS §  
DOREY, ROBERT D. DOTY, JR., §  
ALEC G. DREYER, ANDREA LANG, §  
MICHAEL MOTT, MILTON L. SCOTT, §  
and R. BLAKE YOUNG, §

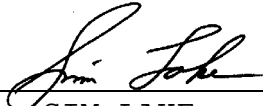
Defendants. §

**FINAL JUDGMENT**

In accordance with the Memorandum Opinion and Order granting defendants' motions to dismiss for lack of subject matter jurisdiction, this action is **DISMISSED without prejudice.**

This is a **FINAL JUDGMENT.**

**SIGNED** at Houston, Texas, on this 13th day of March, 2006.

  
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SIM LAKE  
UNITED STATES DISTRICT JUDGE